

or otherwise to comply with the provisions of this Order may result in dismissal or default as may be appropriate.

Prior to the initial pre-trial hearing, counsel for represented parties and all unrepresented parties that have appeared in this adversary proceeding are jointly responsible for arranging a conference to discuss the nature and basis of their claims and defenses and the possibilities for a prompt settlement or resolution of the adversary proceeding, and to develop a proposed discovery plan. Following the conference, Plaintiff's counsel shall complete and submit a Pre-Trial Worksheet that contains, at a minimum, the information requested below, to the Court at MSS-Pretrials@ohnb.uscourts.gov by not later than 12:00 p.m. on the day preceding the initial pre-trial hearing. Plaintiff's counsel shall assure that all counsel of record and unrepresented parties have received a copy of the Pre-Trial Worksheet.

The Court urges counsel to be efficient as possible in the administration and prosecution of this adversary proceeding. To that end, the Court permits and encourages telephonic participation in pre-trial conferences, unless ordered otherwise.

The Pre-Trial Worksheet shall include the following information.

Adversary Proceeding Case Number: 14-5024
Date/Time of Initial Pre-Trial Hearing: April 9, 2014, 2:00 p.m.
Parties to the Adversary Proceeding: James T. Bialy/T. Bialy Enterprises, Inc.
Deborah Jacobs

If counsel intends to participate telephonically in the Initial Pre-Trial Hearing, the number(s) at which counsel can be reach reached directly:

Plaintiff's counsel: Arthur Axner - 330-762-8111
Defendant's counsel: Warren Mendenhall - 1-330-535-9160

Discovery: Counsel should discuss the type of discovery required and the respective timeframes to complete all necessary discovery in this proceeding.

Nature of necessary discovery: None
Suggested deadline for completion of all discovery: N/A

Dispositive Motions: In order to promote the efficient development of an accurate and appropriate record, with the exception of Rule 12(b)(1) or 12(b)(6) motions that are filed in lieu of an answer, Counsel are required to obtain the Court's permission prior to filing any dispositive motions, including motions for summary judgment and/or motions for judgment on the pleadings.

Future motions counsel anticipates filing: None

Counsel should also be aware of the Court's approach to the following:

Stipulations: At the close of discovery, the Court requires counsel to jointly file a list of all matters which are not in dispute in this case and which can be the subject of stipulations, including any documentary evidence upon which the parties intend to rely in prosecution of their respective cases. Plaintiff's counsel shall draft an initial set of proposed stipulations and submit them to Defendant's counsel for review and approval. Defendant's counsel shall incorporate any additional stipulations as appropriate for review and approval by Plaintiff's counsel. Counsel shall